

CHAPTER 68

STATE LIBRARY AID AND GRANTS

Authority

N.J.S.A. 18A:2-2, 18A:4-15, 18A:74-3.3, 18A:74-6, 18A:74-10 and 18A:74-14.

Source and Effective Date

R.1995 d.290, effective May 12, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

Executive Order No. 66 (1978) Expiration Date

Chapter 68, State Library Aid and Grants, expires on May 12, 2000.

Chapter Historical Note

All provisions of this chapter were filed and became effective prior to September 1, 1969. Subchapter 2 became effective October 21, 1970 as R.1970 d.127. See: 2 N.J.R. 71(b), 2 N.J.R. 90(a). Subchapter 3 became effective September 22, 1972 as R.1972 d.186. See: 4 N.J.R. 155(a), 4 N.J.R. 262(b). Revisions became effective April 7, 1973 as R.1973 d.99. See: 5 N.J.R. 79(b), 5 N.J.R. 139(b). Subchapter 4 became effective July 1, 1974 as R.1974 d.175. See: 6 N.J.R. 223(a), 6 N.J.R. 302(a). Revisions became effective September 18, 1975 as R.1975 d.275. See: 7 N.J.R. 356(a), 7 N.J.R. 460(a). Further revisions became effective April 7, 1978 as R.1978 d.121. See: 10 N.J.R. 95(a), 10 N.J.R. 183(b). Further amendments became effective May 15, 1980 as R.1980 d.224. See: 12 N.J.R. 175(a), 12 N.J.R. 307(b). Amendments became effective June 6, 1983 as R.1983 d.198. See: 15 N.J.R. 196(a), 15 N.J.R. 890(c). Subchapter 2 was readopted effective April 12, 1985 with amendments effective May 6, 1985 as R.1985 d.207. See: 17 N.J.R. 346(a), 17 N.J.R. 1078(a). Subchapter 5 became effective July 21, 1986 as R.1986 d.278. See: 18 N.J.R. 595(b), 18 N.J.R. 1459(a). Subchapter 7 became effective April 20, 1987 as R.1987 d.183. See: 19 N.J.R. 6(a), 19 N.J.R. 634(a). Subchapter 8 became effective April 20, 1987 as R.1987 d.182. See: 19 N.J.R. 7(a), 19 N.J.R. 635(a). Subchapter 9 became effective April 20, 1987 as R.1987 d.181. See: 19 N.J.R. 8(a), 19 N.J.R. 635(b). Chapter 68, State Library Assistance Programs, was readopted as R.1990 d.179, effective February 26, 1990. The readoption included the adoption, effective March 19, 1990, of new Subchapters 1, General Provisions; 3, Incentive Grant Program; 7, Institutional Library Services and 8, Municipal Branch Library Services. Subchapter 1 was recodified as Subchapter 2, State Library Aid, with amendments. Subchapter 3 was recodified as 4, Emergency Aid, with amendments. Subchapter 4 was recodified as 5, Library Construction Incentive Program, with amendments. Subchapter 5 was recodified as 6, Audio-Visual Public Library Services, with amendments. Subchapter 8 was recodified as Subchapter 9, Collection Evaluation and Development, with amendments. Subchapter 9 was recodified as Subchapter 10, Maintenance of Library Collections, effective March 19, 1990. Subchapters 2, 6 and 7 were repealed and replaced, effective March 19, 1990. Chapter 68 was readopted effective February 26, 1990. See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c). Chapter 68 was readopted as R.1995 d.290, effective May 12, 1995. See: Source and Effective Date.

See section annotations for specific rulemaking activity.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 6:68-1.1 Purpose
- 6:68-1.2 Definitions
- 6:68-1.3 Grant application procedures
- 6:68-1.4 Criteria for approval
- 6:68-1.5 Reports and audits

- 6:68-1.6 Notification of applicants
- 6:68-1.7 Appeal procedures

SUBCHAPTER 2. STATE LIBRARY AID

- 6:68-2.1 Purpose
- 6:68-2.2 Governance
- 6:68-2.3 Certification
- 6:68-2.4 Employees
- 6:68-2.5 Library materials
- 6:68-2.6 Hours of service
- 6:68-2.7 Reduction of aid for failure to meet minimum requirements
- 6:68-2.8 Use of per capita aid; decision by public library board of trustees or county library officials
- 6:68-2.9 Application of special census
- 6:68-2.10 Library buildings; submission of program
- 6:68-2.11 Revision of criteria
- 6:68-2.12 State Library Aid application
- 6:68-2.13 Appeals procedure

SUBCHAPTER 3. INCENTIVE FOR LARGER SERVICE UNITS GRANT PROGRAM

- 6:68-3.1 Purpose
- 6:68-3.2 Eligibility
- 6:68-3.3 Categories in award of grants

SUBCHAPTER 4. EMERGENCY AID

- 6:68-4.1 Purpose
- 6:68-4.2 Definitions
- 6:68-4.3 Emergency aid grants
- 6:68-4.4 Method of application
- 6:68-4.5 Eligibility
- 6:68-4.6 through 6:68-4.9 (Reserved)

SUBCHAPTER 5. LIBRARY CONSTRUCTION INCENTIVE PROGRAM

- 6:68-5.1 Purpose
- 6:68-5.2 Eligible projects
- 6:68-5.3 Eligible project costs
- 6:68-5.4 Project criteria
- 6:68-5.5 Priorities for the receipt of construction grants
- 6:68-5.6 Amount of grant and method of allocation
- 6:68-5.7 Review and approval procedures
- 6:68-5.8 (Reserved)

SUBCHAPTER 6. AUDIO-VISUAL PUBLIC LIBRARY SERVICES

- 6:68-6.1 Purpose
- 6:68-6.2 Eligibility
- 6:68-6.3 Categories in award of grants

SUBCHAPTER 7. INSTITUTIONAL LIBRARY SERVICES

- 6:68-7.1 Purpose
- 6:68-7.2 Definitions
- 6:68-7.3 Minimum standards for institutional library services
- 6:68-7.4 Institutional library services per capita State aid
- 6:68-7.5 Institutional library services developmental grants
- 6:68-7.6 Institutional library services incentive grants
- 6:68-7.7 Priorities and funding among grant categories
- 6:68-7.8 Use of funds
- 6:68-7.9 Reports and audits

SUBCHAPTER 8. MUNICIPAL BRANCH LIBRARY SERVICES

- 6:68-8.1 Purpose
- 6:68-8.2 Eligibility

6:68-8.3 Categories in award of grants

## SUBCHAPTER 9. COLLECTION EVALUATION AND DEVELOPMENT

- 6:68-9.1 Purpose
- 6:68-9.2 Eligible projects
- 6:68-9.3 Funding allocation

## SUBCHAPTER 10. MAINTENANCE OF LIBRARY COLLECTIONS

- 6:68-10.1 Purpose
- 6:68-10.2 Definitions
- 6:68-10.3 Eligible projects
- 6:68-10.4 Funding allocation

## SUBCHAPTER 1. GENERAL PROVISIONS

### 6:68-1.1 Purpose

The purpose of this chapter is to describe the library grant programs available from State funds and to establish general rules for the application process.

Amended by R.1995 d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

### 6:68-1.2 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

“Academic library” means a library within a publicly or privately supported institution of higher education.

“Access” means accessibility on site, interlibrary loan of materials, citation/location of materials on databases and cataloging of materials.

“Associate librarian” means a person who holds an associate educational media specialist certificate in accordance with N.J.A.C. 6:11-12.22.

“Association library” means a library established pursuant to N.J.S.A. 15A:1-1 et seq. and receiving public funds pursuant to N.J.S.A. 40:54-35.

“Audio-visual” means communications resources which rely on a device for transmission, reproduction, or enlargement to be effectively utilized or understood. Also included are non-print resources such as art works and objects.

“Audio-visual materials” means materials in audio and visual formats which convey information primarily by sound and image rather than by text and which rely on a device for transmission, reproduction or enlargement to be effectively utilized or understood. Excluded are print and print substitutes such as microform, but included are computer software, art works and objects.

“Audio-visual public library services” means provision of access to audio-visual materials to clientele of a public library.

“Branch library” means an auxiliary public library (county or municipal) which has all of the following, but which is administered from a central unit:

1. Separate quarters from the central unit;
2. A permanent basic collection of library materials;
3. A permanent paid staff; and
4. A regular schedule for opening to the public.

“Central library” means the main library building of a municipality, county or other type of public library or those facilities which house the administrative headquarters of a public library system, including system-wide services provided from a single location.

“Collection development” means activities relating to the development of a library collection, including but not limited to the determination and coordination of selection policies, assessment of needs of users and potential users, collection use studies, collection evaluation, identification of collection needs, selection of materials, planning for resource sharing, collection maintenance and weeding, and purchase of library materials in any format.

“Collection evaluation” means the process of assessing a library collection in terms of specific objectives or in terms of the needs of the patrons of the particular collection.

“Collection maintenance” means activities to preserve the materials in a collection, including care and handling, binding, mending, repairing, marking and shelving.

“Collection of historical or special interest” means all or part of a group of materials with permanent significance to New Jersey’s documentary heritage or with general research value and uniqueness.

“Collection” means library materials in any format.

“Coordinated collection development plan” means an agreement extended by a group of libraries to take responsibility for building and maintaining collections in specific subject areas to increase the resource sharing capabilities of the libraries.

“County library” means a public library established pursuant to N.J.S.A. 40:33-1 to 13 and 40:33-15 to 23.

“Evening hours” means any two hours the library is open after 6:00 P.M.

“Expanded programs of library services” means new services, changes in or expansion of services already offered.

“Extended long-term loan” means a loan of 12 months or more.

“In kind” means the current and recurring costs of the operation of the library and its programs/services that were present before the development and implementation of the grant program.

“Institution” means an adult or juvenile health, mental health, mental retardation, veterans, residential, correctional and other similar facility other than a public school, which is operated by or under contract to the State or to county or municipal governments to carry out health, welfare, educational and correctional programs. Excluded are general hospitals, nursing homes and boarding homes.

“Institutional library” means any library within an institution directly serving the institutional client group.

“Interlibrary loan” means a transaction between libraries, a form of resource sharing by which one library’s collection is utilized by another library in response to a mediated request for a specific item on behalf of its users. The original or a copy of the item may be provided.

“Joint library” means a library established pursuant to N.J.S.A. 40:54-29.3 to 29.26.

“Librarian” means a professional librarian, an educational media specialist or an associate educational media specialist who holds, or is eligible to hold, a certificate in accordance with N.J.A.C. 6:11-12.7 Professional librarian; N.J.A.C. 6:11-12.21, Educational media specialist; or N.J.A.C. 6:11-12.22, Associate educational media specialist.

“Library” means an organized collection of accessible print and/or non-print materials with appropriate staff to maintain such materials and to provide reference, research and other services to the public.

“Library clerk” means a person employed in a library who performs clerical or support functions.

“Library materials” means print, non-print items and electronic software.

“Library-related agency” means a county audio-visual aids commission established under N.J.S.A. 18A:51; a learning resource center; a regional curriculum services unit; or any other nonprofit organization meeting the criteria for membership in a regional library cooperative in accordance with N.J.A.C. 6:70-1.5(b).

“Library services” means all activities rendered by the library to its users.

“Municipal library” means a library established pursuant to N.J.S.A. 40:54-1 to 29.2.

“Overhead” means current or recurring expenses such as rent, insurance, lighting, heating, accounting or office expenses.

“Part-time employee” means an employee whose regular hours of duty are less than the normal work week for that class or agency in accordance with Civil Service Rule N.J.A.C. 4:1-2.1.

“Periodical” means a serial publication which is issued in a continuous series under the same title, usually published at regular intervals, more frequently than annually, over an indefinite period, individual issues in the series being numbered consecutively or each issue being dated.

“Periodical indexes” means subject indexes to a newspaper or to a group of periodicals which are provided for patron and staff use whether in print, micro or electronic format.

“Privately supported library” means a library whose parent agency receives less than 50 percent of its annual funding support from governmental sources.

“Public library” means a municipal, county, association or joint library, which receives public funding.

“Publicly supported library” means a library whose agency receives 50 percent or more of its regular annual funding support from governmental sources.

“Regional library” means a library established pursuant to N.J.S.A. 40:33-13.3 et seq.

“School library” means a library/media center within any publicly or privately supported elementary or secondary school, or in any post-secondary vocational or technical school.

“Special census” means a census conducted by the United States Secretary of Commerce pursuant to 13 U.S.C. 196.

“Special library” means a library/information center of a business, a professional, scientific, or trade association, a government, hospital or other for-profit or nonprofit institution or organization which provides that organization with information, library materials, and technical bibliographic and research services.

“Subject collection” means a collection of materials on a subject covering a specific topic, specific period of time or pertaining to a specific geographic area.

“User studies” means a method of determining the information needs of current library patrons or potential library patrons.

Amended by R.1995, d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

**6:68-1.3 Grant application procedures**

(a) The State Library requires the use of a standard application for the grant programs unless otherwise specified. Application forms, unless otherwise specified, may be obtained from:

New Jersey State Library  
Grant Applications  
185 West State Street  
CN 520  
Trenton, New Jersey 08625-0520.

(b) Applications must conform to the requirements for completion and the deadline dates as specified by the State Librarian in the publication "Grants Bulletin."

Amended by R.1995 d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).  
Named the publication as "Grants Bulletin".

**6:68-1.4 Criteria for approval**

(a) Evaluation of the applications may be based on, but not necessarily be limited to, the following criteria:

1. A statement of the applicant's need as it relates to the Request for Proposal's stated purpose;
2. A rationale providing a description of the potential project and the basis for the selection of a particular solution or method for the project;
3. Goals and objectives describing the outcomes or results expected from the project;
4. An action plan describing the activities and resources needed to reach the stated objectives of the project;
5. An evaluation plan describing the applicant's proposed method to evaluate the progress and outcomes of the project; and
6. A budget listing how requested funds will be used to support the action plan. Appropriate budget forms are supplied with application forms.

(b) Each application will contain specific, expanded definitions of these criteria to assist applicants to develop appropriate information for the grant application.

**6:68-1.5 Reports and audits**

Grant recipients shall be required to submit reports and financial audits as specified by the State Librarian in the grant announcement.

**6:68-1.6 Notification of applicants**

Applicants will be informed of the State Librarian's recommendations of approval or rejection within 90 days of application deadline.

**6:68-1.7 Appeal procedures**

(a) If a recipient agency requests the results of a denied proposal, the State Librarian will provide a written explanation of the denial.

(b) Applicants whose projects have been rejected may submit a written request for an informal fair hearing before the State Librarian. A hearing will be held only if it is alleged that the State Library has violated a statutory or regulatory provision in the awarding of a grant. An appeal will not be heard based upon a challenge to the final evaluation score of a grant proposal.

(c) In the event of an adverse decision after such informal hearing, applicants may request a formal hearing pursuant to N.J.S.A. 18A:6-9 et seq. The hearing shall be governed by the provisions of the Administrative Procedure Act (see N.J.S.A. 52:14B-1 et seq. and 52:14F-1 et seq., as implemented by the Uniform Administrative Procedure Rules, N.J.A.C. 1:1).

**SUBCHAPTER 2. STATE LIBRARY AID****6:68-2.1 Purpose**

The purpose of this program is to provide per capita library aid to public libraries according to N.J.S.A. 18A:74-1 et seq.

New Rule: R.1990 d.179, effective March 19, 1990.  
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

**6:68-2.2 Governance**

(a) Any municipal library which has been established pursuant to N.J.S.A. 40:54-1 et seq. or pursuant to any special Act shall provide for a library board of trustees in the manner and with the duties and powers specified in N.J.S.A. 40:54-1 et seq. or any special Act.

(b) Association libraries receiving local tax support under N.J.S.A. 40:54-35 shall be governed by a board of trustees and shall be incorporated as a non-profit corporation pursuant to N.J.S.A. 15A:1-1 et seq.

(c) Any joint library which has been established pursuant to N.J.S.A. 40:54-29.3 et seq. shall provide for a library board of trustees in the manner and with the duties and powers specified in N.J.S.A. 40:54-12, 40:54-29.10, 40:54-29.12 and 40:54-29.13.

Amended by R.1990 d.179, effective March 19, 1990.  
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).  
Added statutory cites.

**6:68-2.3 Certification**

In order to receive any State library aid, all public libraries serving populations of 10,000 or above shall employ certified librarians in professional positions as required in N.J.S.A. 45:8A.

**6:68-2.4 Employees**

(a) All public libraries (municipal, joint, association and county) shall meet the following minimum requirements based on the population of the area from which the library receives tax support:

1. Number of employees: All libraries shall employ a minimum of one full-time staff member. In addition, one full-time employee or the equivalent thereof in part-time paid employment for the initial 4,000 population and each succeeding 4,000 population shall be employed as set forth in Chart A below. All of the above are exclusive of security, janitorial or custodial employees.

Chart A

Full-Time Paid Employees

Population	Total Number of Full-Time Paid Employees
0- 3,999	1
4,000- 7,999	2
8,000-11,999	3
12,000-15,999	4
16,000-19,999	5
20,000-23,999	6
24,000-27,999	7
28,000-31,999	8
32,000-35,999	9
36,000-39,999	10
40,000-43,999	11
44,000-47,999	12
48,000-51,999	13
52,000 and over	14 plus one additional full-time paid employee for each additional 4,000 population.

i. Full-time means a minimum of 30 hours per week except that for municipalities of under 5,000 population, full-time may be defined as two part-time persons. At no time shall either part-time employee work less than 10 hours per week.

2. Professional staff:

i. All libraries serving populations of 10,000 or more must employ as library director a full-time professional librarian who holds a professional librarian certificate.

ii. Libraries serving 10,000 to 50,000 population must employ a minimum of one full-time professional librarian or the full-time equivalent for each 10,000 population as set forth in Chart B annexed hereto and made a part thereof.

iii. Libraries serving a population over 50,000 must employ a minimum of one full-time professional librarian or the full-time equivalent for every 10,000 population up to 50,000 and one additional full-time professional librarian or the full-time equivalent for each 20,000 population over 50,000 as set forth in Chart B below.

Chart B

Population	Number of Full-Time Professionals
0- 9,999	0
10,000- 19,999	1
20,000- 29,999	2
30,000- 39,999	3
40,000- 49,999	4
50,000- 69,999	5
70,000- 89,999	6
90,000-109,999	7
110,000-129,999	8
130,000 and over	9 plus one additional full-time professional for each additional 20,000 population.

Amended by R.1987 d.398, effective October 5, 1987.

See: 19 N.J.R. 1128(a), 19 N.J.R. 1796(a).

(a)2iii population changed from 10,000 to 20,000.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Recodified from 1.4 and added new (a)1i.

Administrative Correction to (a)2iii: changed 129,000 to 129,999.

See: 22 N.J.R. 2359(a).

**6:68-2.5 Library materials**

(a) A minimum collection of 8,000 volumes or one volume per capita, whichever is greater, shall be available in all libraries established pursuant to the provisions of N.J.S.A. 40:54-1 et seq., N.J.S.A. 40:54-29.3 et seq. and N.J.S.A. 40:33-1 et seq.

(b) A minimum of 1/10 of volume per capita shall be purchased annually. Audio-visual materials, computer software and electronic reference services may be equated to volumes purchased. To equate audio-visual materials, computer software and electronic reference services with print purchases:

1. Divide total materials budget, excluding expenditure for periodicals, by the average price per volume as computed in New Jersey Library Statistics for the preceding calendar year; or

2. Divide total expenditure for audio visual materials, computer software and electronic reference services by average price per volume as computed in New Jersey Library Statistics for the preceding calendar year. Add resulting figure to number of volumes purchased. The total of the two figures should be equal to or exceed the minimum requirement of 1/10 volume.

(c) Periodical holdings and subscriptions shall be provided as set forth in Chart C annexed hereto and made a part thereof.

Chart C  
Periodical Holdings

Population	Number of Periodicals	Number of Periodicals Listed in Indexes	Number Retained for 3 Years
Under- 5,000	25	15	8
5,000- 9,999	50	30	17
10,000-24,999	75	45	25
25,000-49,999	100	60	33
50,000-and over	150	90	50

1. In addition, each library shall purchase the index or indexes which are necessary to provide access to information contained within the periodicals.

(d) Those libraries which are in municipalities providing tax support for a county library may count the materials provided by the county library to the local library toward meeting the requirements of (a), (b) and (c) above. The materials provided can be used to satisfy the requirements for volumes purchased, minimum collection, and periodical subscriptions and holdings by the exact number provided by the county library in each category.

Amended by R.1990 d.179, effective March 19, 1990.  
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

#### 6:68-2.6 Hours of service

(a) The following minimum hours of service are required:

Population Served	Hours Open Per Week
Under-10,000	30
10,000-24,999	45
25,000-49,999	50
50,000-and over	60

(b) Minimum hours open to the public must be scheduled to provide some service five days per week with a minimum of three evenings and some weekend hours every week. Seasonal (summer or other special) variations are permitted for three months per year. The State Librarian may authorize other variations to accommodate local conditions.

(c) Libraries serving communities of under 10,000 population must meet the minimum requirement of 30 hours per week. However, the 30 hours may be scheduled to provide only two instead of three evenings per week.

Amended by R.1990 d.179, effective March 19, 1990.  
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).  
Added State Librarian Authorization to make local hour variations.

#### 6:68-2.7 Reduction of aid for failure to meet minimum requirements

(a) Failure to meet the requirements of N.J.A.C. 6:68-2.2 and 2.3 will result in the loss of all per capita State Aid.

(b) Failure to meet the requirements specified in N.J.A.C. 6:68-2.4 through 2.6 will result in the loss of per capita State Aid by a percentage in proportion to the number of requirements not yet achieved, each requirement to have the following weights:

1. N.J.A.C. 6:68-2.4:
  - i. Employees: 30 percent.
2. N.J.A.C. 6:68-2.5:
  - i. Basic book collection: 10 percent.
  - ii. Annual purchases: 30 percent.
  - iii. Periodicals: 10 percent.
3. N.J.A.C. 6:68-2.6:
  - i. Hours of service: 20 percent.

Amended by R.1990 d.179, effective March 19, 1990.  
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Deleted (b).  
Amended by R.1995 d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).  
Added (b).

#### 6:68-2.8 Use of per capita aid; decision by public library board of trustees or county library officials

(a) Upon receipt of State Aid checks pursuant to N.J.S.A. 18A:74-3, municipal and county treasurers shall make these funds immediately available to public library trustees, county library commissioners or, in counties which have reorganized the administrative structure of county government according to N.J.S.A. 40:41A-1 et seq., the board of chosen freeholders as the case may be. Decisions on the use and expenditures of per capita State Aid rest with the board of trustees of municipal, joint and association libraries and with the county library commission of the county libraries or the county board of chosen freeholders. The State Librarian may require a certified audit if he or she deems necessary.

(b) State Aid funds must be expended within two years of the date of receipt of the funds. If not expended, the board of trustees, the county library commission or the board of chosen freeholders must submit to the State Librarian a plan for the use of the unspent balances at least 60 days before the deadline for expenditure. Failure to submit such a plan, or disapproval of the plan by the State Librarian, shall result in the withholding of State Aid payments.

(c) In reviewing the plan, the State Librarian will give consideration to the following:

1. Priority for the use of balances for expenditures which enable the library to comply with the provisions of this chapter;
2. Demonstration that expenditures contribute to the provision of efficient and effective library services, including capital needs and facilities;

3. Inclusion of realistic, attainable, time-bounded objectives.

As amended, R.1978 d.121, effective April 7, 1978.

See: 10 N.J.R. 95(a), 10 N.J.R. 183(b).

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Board of Chosen Freeholders added and 60 days before deadline for expenditure in (b) added.

#### 6:68-2.9 Application of special census

An application for the use of a special census for the receipt of aid pursuant to N.J.S.A. 18A:74-3 shall be submitted in writing to the State Librarian for transmittal to the State Commissioner of Education on or before October 15 of the year preceding that in which the special census would be used as a basis for the payment of per capita aid. The application must include the new census figure to be used, and written verification from the United States Bureau of the Census.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Deleted reference to area library grants.

#### 6:68-2.10 Library buildings; submission of program

Any library planning to use State Aid moneys for new construction, an addition or structural changes to the present building shall submit its building program and preliminary building plans to the State Librarian for review and approval.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Deleted "extensive renovations"; added "structural changes".

#### 6:68-2.11 Revision of criteria

The State Librarian shall review all State Library Aid rules and regulations periodically, and at least every five years the Advisory Council of the Division of the State Library shall recommend appropriate revision to the State Board of Education to ensure that libraries throughout the State move toward the achievement of national standards and develop appropriate systems of library service.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Deleted reference to Archives and History.

#### 6:68-2.12 State Library Aid application

(a) An application form is available at the following address:

New Jersey State Library

Per Capita State Aid

185 West State Street CN520

Trenton, New Jersey 08625-0520

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Corrected address.

#### 6:68-2.13 Appeals procedure

Appeals arising from any action of the State Librarian in administering the rules of this subchapter may be requested, and an opportunity given for an informal fair hearing before the State Librarian. In the event of an adverse decision after such an informal hearing, appellants may request a formal hearing pursuant to N.J.S.A. 18A:6-9, 18A:6-24, and 18A:6-27. Such hearings shall be governed by the provisions of the Administrative Procedure Act (see N.J.S.A. 52:14B-1 et seq. and 52:14F-1 et seq., as implemented by N.J.A.C. 1:1).

New Rule: R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

### SUBCHAPTER 3. INCENTIVE FOR LARGER SERVICE UNITS GRANT PROGRAM

#### Subchapter Historical Note

Subchapter 3, Incentive Grant Program, was originally codified as Subchapter 2. Subchapter 2 was repealed as part of readoption R.1990 d.179, effective March 19, 1990. See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c). Former Subchapter 3 was repealed and new rules were adopted as part of readoption of Chapter 6:68 by R.1995 d.290, effective June 5, 1995. See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

#### 6:68-3.1 Purpose

The rules in this subchapter provide for the development and expansion of larger units of library service to the residents of New Jersey, pursuant to the provisions of the State Library Aid Law (P.L. 1967, c.271), N.J.S.A. 18A:7A-6.

#### 6:68-3.2 Eligibility

Any public library is eligible to participate in the program.

#### 6:68-3.3 Categories in award of grants

(a) Each approvable application shall be assigned to one of the two categories as follows:

1. Municipal library assistance aid for the planning and development of joint libraries and cooperative services;

2. County library assistance aid for the planning and development of expanded county library service.

(b) The priority of categories and the percentage of funds allocated to each category shall be established each year by the State Librarian.

## SUBCHAPTER 4. EMERGENCY AID

### 6:68-4.1 Purpose

The purpose of this emergency aid grant program is to help alleviate unforeseeable, emergency conditions in any public library.

New Rule: by R.1990 d.179, effective March 19, 1990.  
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).  
Amended by R.1995 d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

### 6:68-4.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

“Adequate insurance” means insurance covering, at a minimum, losses of 80 percent of replacement value, resulting from fire, floods, lightning, aircraft, earthquake, vehicles, explosions, riots, civil commotion, vandalism or malicious mischief.

“Emergency” means any damage or loss suffered by a public library in excess of \$50,000 or 10 percent of that library’s current operating budget, whichever is less, and which directly affects the accessibility to the library and its collections to the public. Damages or losses caused by normal wear and tear, deterioration, defect, mechanical breakdown or neglect are not considered emergencies.

“Reimbursable loss” means such damage or loss which is not indemnified elsewhere such as through insurance or similar payments.

Amended by R.1990 d.179, effective March 19, 1990.  
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).  
Recodified from 3.1 and added “adequate insurance”.

### 6:68-4.3 Emergency aid grants

(a) Emergency aid grants up to 100 percent of reimbursable losses may be made as funds permit.

(b) In general, no more than 50 per cent of the sum allocated annually for emergency aid and incentive grants will be expended as emergency aid grants.

### 6:68-4.4 Method of application

(a) An intent to file a request for emergency aid must be received by the State Librarian within 90 days of damage or loss.

(b) An actual application for emergency aid must be received by the State Librarian within one year of damage or loss.

(c) A letter of application for emergency aid under N.J.S.A. 18A:74-6 must be submitted to the State Librarian. This letter of application, made by an officer of the library’s board of trustees, shall include:

1. The amount of grant requested;
2. The date the emergency occurred;
3. The cause of damage or loss;
4. A detailed description of the damage or loss and the cost of replacement;
5. Sources and amounts of indemnification (such as insurance payments), if any;
6. An assurance that the library holds adequate insurance; and
7. Any additional reports or information the State Librarian may request.

Amended by R.1990 d.179, effective March 19, 1990.  
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

At (a) “letter of” application added; new 7. and 8. added and new (b) and (c) added.  
Amended by R.1995 d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

Added new (a) and (b); relettered former (a) as (c); deleted former (b) and (c); and deleted (c)6 and (c)7.

### 6:68-4.5 Eligibility

(a) In order to be eligible for assistance, the library must demonstrate that:

1. Adequate insurance was in effect for 12 months prior to the emergency;
2. Preventive maintenance was budgeted for and performed during each of five years prior to the emergency; and
3. Reasonable effort has been made to correct the condition that caused the emergency. Written documentation, such as copies of bills, requests for quotations, work orders, must be submitted.

Amended by R.1990 d.179, effective March 19, 1990.  
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).  
New (a)1.-3. added.

**6:68-4.6 through 6:68-4.8 (Reserved)****6:68-4.9 (Reserved)**

Amended by R.1983 d.198, effective June 6, 1983.  
See: 15 N.J.R. 196(a), 15 N.J.R. 890(c).  
Added last sentence.

## SUBCHAPTER 5. LIBRARY CONSTRUCTION INCENTIVE PROGRAM

**6:68-5.1 Purpose**

Under the provisions of the New Jersey Library Construction Incentive Act, N.J.S.A. 18A:74-14, the State Librarian, as the designated representative of the Commissioner of Education of the State of New Jersey, is authorized to supervise and administer State funds to assist in the construction, expansion, renovation or acquisition of a public library building. The following are minimum requirements for participation in the grant program.

As amended, R.1983 d.198, eff. June 6, 1983.  
See: 15 N.J.R. 196(a), 15 N.J.R. 890(c).

Section title changed from "Introduction" to "Scope and purpose". Also, added "rehabilitation or acquisition" of library buildings.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Administrative Correction: changed 18A:174-14 to 18A:74-14.  
See: 22 N.J.R. 2359(a).

**6:68-5.2 Eligible projects**

(a) The following types of construction are eligible for a grant:

1. Construction of a new building;
2. Acquisition of an existing building adaptable for use as a public library;
3. Addition to an existing building; or
4. Renovation of an existing building.

(b) All projects shall meet the minimum size criteria in N.J.A.C. 6:68-5.4(f).

(c) The acquisition or substantial renovation of an existing structure may be an eligible project. If eligible, the acquisition or the renovation must be extensive and clearly not routine maintenance and repair. In no case may costs for furnishings and equipment in excess of 30 percent of the total renovation costs of the project be considered eligible for matching.

(d) An application(s) may be submitted combining renovation and construction of an addition. An acquisition or renovation application must result in total floor space which, when added to the floor space of the existing structure, shall meet the minimum size criteria in N.J.A.C. 6:68-5.4(f).

(e) A renovation analysis and program must be prepared by a registered architect and shall be part of the application. The architect shall also certify that the proposed renovated structure and all its component parts shall have a life expectancy of 20 years or more. Studies made by the architect regarding the following shall be submitted in substantiation of the suitability and practicality of the acquisition or renovation:

1. The building shall be examined to determine that it is structurally sound;
2. The building shall be examined to determine if it is suitable for acquisition or renovation and upon completion will require no more than normal, annual maintenance;
3. Careful analysis of the space requirements and allocation of space shall be made to determine if the structure, as acquired or renovated, will meet modern concepts of library services to the community it serves;
4. All mechanical aspects of construction shall be carefully analyzed to determine the need for replacement or improvement.

(f) Minimum size for any new construction project shall be 3,500 square feet of floor space.

(g) Preliminary applications may be accepted for review which, while being innovative or providing a unique service fail to meet the criteria outlined in this section. Exceptions may be considered where the public library building program demonstrates initiative and seeks to solve local problems in an original or cost-effective manner.

(h) The signing of construction contracts before full approval by the State Librarian shall make the project ineligible.

As amended, R.1983 d.198, eff. June 6, 1983.  
See: 15 N.J.R. 196(a), 15 N.J.R. 890(c).

Deleted ineligibility of school libraries and public-school library combinations to receive construction grants. Renumbered old (d)-(g) as new (d)-(f).

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Recodified from 6:68-5.3 and amended by R.1995, d.290, effective June 5, 1995.

See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

**6:68-5.3 Eligible project costs**

(a) Eligible project costs are enumerated under Section 7 of N.J.S.A. 18A:74-14.

(b) In order to promote the construction of projects in an economical manner, a ceiling periodically shall be set by the State Librarian on maximum per square foot project cost beyond which project costs will not be eligible in the computation of the State share of funding.

(c) Should some portion of the proposed construction be intended for use for other than library purposes, such as

municipal offices or a general municipal meeting room, this space may not be included in the computation of available square feet of space. Construction costs relating to these nonpublic-library-use areas are not eligible to be used for matching purposes. The application must clearly designate the nonpublic-library-use areas and their related costs. Reimbursable costs must be reduced by the amount of those related costs. The cost of any shared-space submitted for reimbursable purposes must be prorated on the basis of the percentage of library use, for example a meeting room that will be used 50 percent of the time by the public library is eligible to be reimbursed only 50 percent of those costs.

(d) Costs for renovation of an existing structure to be included together with costs of an addition will be computed separately and not averaged to determine amount of grant.

Amended by R.1990 d.179, effective March 19, 1990.  
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Added new (d).  
Recodified from 6:68-5.4 and amended by R.1995 d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

**6:68-5.4 Project criteria**

(a) All applications must meet the requirements and criteria of these regulations. Those interested in applying for possible exceptions must request an interview with the State Librarian. Exceptions to the requirements and criteria may be allowed.

(b) During the calendar year prior to submission of application, a municipal, joint or association library shall have received tax support at the level equal to at least 1/3 of a mill on every dollar of assessable property within such municipality based on the equalized valuation of such property as certified by the Director of Taxation in the Department of the Treasury. A county or regional library, during the calendar year prior to submission of application, shall have received tax support at the level equal to at least 1/15 of a mill on every dollar of the apportionment valuation.

(c) During the calendar year prior to submission of application, the library shall have met the minimum criteria for receipt of State Library Aid (N.J.A.C. 6:68-2) or submit a plan detailing steps to meet all the criteria which is acceptable to the State Librarian.

(d) The applicant must be in possession of a fee simple title or such other estate or interest in the site, including access thereto, as is sufficient to assure undisturbed use and possession of the facilities for not less than 20 years. Ownership of site by the applicant includes ownership of the land by the municipality(ies) of the applicant or the county(ies) in the case of a county or regional library application, provided that such land has been formally dedicated to library use. In the case of an association library, title to the land and building shall be in the name of the municipality in which the library is located.

(e) The applicant must have local matching funds for the project (the difference between project costs and the potential grant award) before final approval can be given. Within three months following notification of eligibility for a grant award, evidence must be submitted that funds have been appropriated for financing of the project. Such evidence shall include copies of the ordinance of appropriation passed on final reading and approved.

(f) Floor space is meant to include total square footage of space available for public library purposes including outer walls, areas provided for mechanical equipment and maintenance requirements and storage. These areas must have heat, light and ventilation and square footage commensurate with their purposes.

1. The estimated population 10 years after the year in which application is made shall be used to determine the population base of the area served by the applicant library. For areas experiencing a population decline, the population estimate of the New Jersey Department of Labor for one year prior to the fiscal year in which the grant application is made shall be used as the population base.

2. For new construction, the population base as determined above shall be used to compute the minimum project size required to qualify as an applicant for a grant as specified in Table A.

Table A

Population to be Served by the Project	Minimum Square Feet of Floor Space
Under 10,000	3,500 sq. ft. + .7 sq. ft. per capita over 5,000 pop.
10,000-25,000	7,000 sq. ft. + .6 sq. ft. per capita over 10,000 pop.
25,000-50,000	16,000 sq. ft. + .45 sq. ft. per capita over 25,000 pop.
50,000-100,000	27,250 sq. ft. + .35 sq. ft. per capita over 50,000 pop.
100,000-200,000	44,750 sq. ft. + .25 sq. ft. per capita over 100,000 pop.
200,000-500,000	69,750 sq. ft. + .2 sq. ft. per capita over 200,000 pop.
500,000 +	129,750 sq. ft. + .15 sq. ft. per capita over 500,000 pop.

3. If the project is an addition to an existing building, the new construction for the addition must result in total floor space, which when added to the floor space of the existing structure, shall meet the minimum size criteria as shown in Table A.

4. The percentages in Table B below may be used to reduce the floor space requirements in Table A above for the construction, acquisition or renovation of a central library.

Table B

Population Served by Central Library	Percent of Allowable Reduction
Under 39,999	25
40,000- 49,999	26
50,000- 59,999	27
60,000- 69,999	28
70,000- 79,999	29
80,000- 89,999	30
90,000- 99,999	31
100,000-109,999	32
110,000-119,999	34

Population Served by Central Library	Percent of Allowable Reduction
120,000-129,999	36
130,000-139,999	38
140,000-149,999	40
150,000-159,999	42
160,000-169,999	44
170,000-179,999	46
180,000-189,999	48
190,000-199,999	50
200,000-209,999	52
210,000-219,999	54
Over 219,999	55

(g) Library buildings and facilities shall be designed in accordance with State and Federal minimum standards for providing barrier-free access for physically handicapped people.

1. The applicant shall also comply with N.J.A.C. 5:23-7, Barrier-Free Subcode, pursuant to N.J.S.A. 52:32-4 through 12.

2. This document may be purchased from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.

3. The applicant shall also comply with N.J.A.C. 5:23-7, Barrier-Free Subcode pursuant to N.J.S.A. 52:32-4 through 12.

(h) All New Jersey labor laws and regulations must be adhered to when applicable.

(i) All contracts shall be awarded to the lowest qualified bidder on the basis of open competitive bidding as specified in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

(j) In developing plans for public library facilities, the local and State codes with regard to fire and safety will be observed. In situations where local fire and safety codes do not apply, recognized State codes shall be observed.

As amended, R.1983 d.198, eff. June 6, 1983.  
See: 15 N.J.R. 196(a), 15 N.J.R. 890(c).

In (g), 1980 publication adopted by reference and added new 1.-2. In (i), equipment procurement contracts increased from \$2,500 to \$4,500.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Recodified from 6:68-5.5 and amended by R.1995 d.290, effective June 5, 1995.

See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

### 6:68-5.5 Priorities for the receipt of construction grants

(a) General provisions for priorities for the receipt of construction grants shall include the following:

1. Those applications properly submitted and found to be in an approvable form shall first be assigned to one of two priority groupings as described in this section. All applications of the first priority fulfilling the criteria of these rules shall be awarded grants before applications of the second priority are funded. Availability of funds and number of applications within each priority grouping shall, within any one fiscal year, determine the projects to be funded.

2. Within each of the two priority groupings, all applications shall be ranked in terms of ability to pay by the municipalities and counties. The ratio of the average equalized valuation† of the three years preceding the date of the application to the population estimate of the municipality(ies) or county(ies) by the New Jersey Department of Labor for the year preceding the date of application shall be used as the criterion determining this financial ability. The first grant within each priority grouping shall be awarded that applicant demonstrating the least financial resources through the lowest ratio of equalized valuation to population. Each succeeding grant shall be awarded to the remaining applicant whose ability to pay is lowest.

i. First priority in award of grant shall be given to applications by municipal, joint or county libraries.

ii. Second priority in award of grant shall be given to applications by association libraries.

(b) Any previous recipient of a construction grant shall be placed automatically in the second priority and be ranked last in the priority for two fiscal years succeeding the fiscal year in which the grant was awarded, after which time it shall resume its normal status.

(c) There shall be no grant for a specific building within five fiscal years from the fiscal year in which a library construction grant previously was awarded.

As amended, R.1983 d.198, eff. June 6, 1983.

See: 15 N.J.R. 196(a), 15 N.J.R. 890(c).

Deleted old (b); old (c) renumbered new (b).

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Recodified from 6:68-5.6 and amended by R.1995 d.290, effective June 5, 1995.

See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

† Equalized Valuation as listed in the "Certification of Table of Equalized Valuations" promulgated annually on October 1, by the Division of Taxation, New Jersey Department of Treasury.

### 6:68-5.6 Amount of grant and method of allocation

(a) Generally, the minimum State share of eligible project costs of any project eligible for a grant shall be no less than 25 percent.

(b) Should funds be insufficient to allow all projects eligible for a grant to receive at least 25 percent of eligible project costs, funds shall be distributed according to priority ranking (see N.J.A.C. 6:68-5.5 until the funds are depleted).

(c) Should funds be sufficient to allow all approved projects to receive more than 25 percent of eligible project costs, the 25 percent grants shall be considered as base grants and remaining funds shall be distributed to approved applicants on the basis of the ratio of each project's square footage to the total square footage of all approved projects. The maximum grant will not exceed 50 percent of eligible project costs or \$500,000, whichever is less.

(d) Final grants shall be based on actual contract costs. When original estimated costs exceed contract costs on which basis the grant award was made, a grant may be reduced proportionately.

As amended, R.1983 d.198, eff. June 6, 1983.

See: 15 N.J.R. 196(a), 15 N.J.R. 890(c).

In (c), maximum grant increased from 40 to 50 percent and \$300,000 increased to \$500,000.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Recodified from 6:68-5.7 and amended by R.1995 d.290, effective June 5, 1995.

See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

#### 6:68-5.7 Review and approval procedures

(a) Application for a grant must be in the completed official form MISC03004069, New Jersey State Department of Education Application.

(b) The application shall be made by the body charged with the responsibility for the establishment and maintenance of the library (board of trustees or county library commission, or county board of chosen freeholders as appropriate). The governing body of the municipality in which the library is located, or of the county(ies) in the case of a county library, shall be cosignor of the application.

(c) If a library facility is to be constructed by a municipality with the provision that it be equipped or stocked or staffed or supported by a library not an agency of that municipality (for example, a municipally constructed building which will be operated by a county library as a branch library), the application shall be in the names of both or all parties concerned.

(d) The person authorized to submit the application shall be an officer of the body named as applicant, preferably, the president or chairperson of this body. A statement to be signed and completed by the responsible officer of the applicant, for example, secretary of a board of trustees, shall certify this authorization. If the application is jointly submitted, an individual from each body shall be authorized and certified. The signature of each authorized person is required on the application.

(e) Building plans shall be prepared by an architect licensed by the State of New Jersey.

(f) Any changes or revisions affecting the application, including any structural changes in the building plans, shall be submitted on appropriate forms for approval. The State Librarian shall have the power to revoke approval of any application or grant for failure to submit and receive approval of substantial changes in the application.

(g) Full approval of the proposed construction project must be given by the State Librarian before construction contracts are signed.

(h) Architectural or engineering supervision and inspection will be provided by the applicant at the construction site to ensure that the completed work conforms to the approved plans and specifications. For the purpose of inspection, representatives of the State Librarian will have access at all reasonable times to all construction work being done under the New Jersey Library Construction Incentive Act, N.J.S.A. 18A:74-14 et seq. The owner and contractor will be required to facilitate such access and inspection.

(i) Construction must be initiated and completed in a reasonable period of time. Time limit for completion shall be measured from the date of application approval. In general, construction must be completed according to the following schedule:

Total Eligible Project Cost	Maximum Construction Period
Under \$500,000	One Year
\$500,000-\$1,000,000	One and One-Half Years
Over \$1,000,000	Two Years

(j) In general, the grant shall be paid to the applicant in three installments as shown below, but only upon receipt of satisfactory evidence of completion of each phase. Architect's certification and on-site inspection shall be considered satisfactory evidence.

1. Forty percent upon approval of the award of construction contract(s);
2. Fifty percent when construction is 50 percent complete; and
3. Ten percent upon submission and acceptance of audit of expenditure, subject to adjustment to reflect the actual cost.

(k) Accounts and supporting documents of the local agency shall be adequate to permit an accurate and expeditious audit. All expenditures claimed for State financial participation shall be audited either by an independent certified public accountant or an independent registered municipal accountant licensed by the State of New Jersey. Such audits shall be in accordance with generally accepted auditing standards and shall comply with guidelines established by the State Librarian.

As amended, R.1983 d.198, eff. June 6, 1983.

See: 15 N.J.R. 196(a), 15 N.J.R. 890(c).

In (d), "chairman" changed to "chairperson".

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Administrative Correction to (a): Deleted text.

See: 22 N.J.R. 2359(a).

Recodified from 6:68-5.8 and amended by R.1995 d.290, effective June 5, 1995.

See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

#### 6:68-5.8 (Reserved)

Recodified as 6:68-5.7 by R.1995 d.290, effective June 5, 1995.

See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

## SUBCHAPTER 6. AUDIO-VISUAL PUBLIC LIBRARY SERVICES

### 6:68-6.1 Purpose

The rules in this subchapter provide for the development and expansion of audio-visual public library services to the residents of New Jersey, pursuant to the provisions of the Library Development Aid Law, (Chapter 297, Laws of 1985), N.J.S.A. 18A:74-3.3.

### 6:68-6.2 Eligibility

Any library or organization providing audio-visual public library services is eligible to participate in this program.

### 6:68-6.3 Categories in award of grants

(a) Each approvable application shall be assigned to one of the three categories as follows:

1. Regional audio-visual public library services;
2. Statewide audio-visual public library services;
3. Local audio-visual public library services.

(b) The priority of categories and the percentage of funds allocated to each category shall be established each year by the State Librarian.

Amended by R.1990 d.179, effective March 19, 1990.  
See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).  
Editorial change.

## SUBCHAPTER 7. INSTITUTIONAL LIBRARY SERVICES

### 6:68-7.1 Purpose

(a) The rules in this subchapter provide for the development of library services in State, county and municipal institutions, pursuant to the provisions of the Library Development Aid Law, (P.L. 1985, c.297), N.J.S.A. 18A:74-3.2 through 3.4.

(b) Three separate institutional funding categories have been developed:

1. Institutional Library Services per capita State aid;
2. Institutional Library Services Developmental Grants; and
3. Institutional Library Services Incentive Grants.

(c) To be eligible for any of the three programs, institutions must establish a library advisory committee to develop and initiate a plan of service. The primary model for institutional library services is that of public library services.

Amended by R.1995 d.290, effective June 5, 1995.

See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

### 6:68-7.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

“Access” means the onsite use of the library facility and its resources and services or the ability to use library materials and services from remote locations, also known as satellites. In institutions, access includes open hours of the library facility plus service hours to rooms, cells or wards unduplicated by library facility hours. Access also includes bibliographic access. Limitations on access include permissions required and restrictions imposed on client use of services.

“Client(s) or client groups” means mentally disabled, mentally retarded, and physically handicapped persons; also adults and juveniles in correctional and related programs, and persons in New Jersey veterans’ homes. Excluded are persons in general hospitals, general nursing homes and boarding homes.

“Institution” means an adult or juvenile health, mental health, mental retardation, veterans, residential, correctional and other similar facility other than a public school, which is operated by or under contract to the State or to county or municipal governments to carry out health, welfare, educational and correctional programs. Excluded are general hospitals, general nursing homes and boarding homes.

“Institutional library” means any library, within an institution, directly serving the institutional client group.

“Institutional library services developmental grants” means funds made available to institutions to bring library services up to the minimum standards.

“Institutional library services incentive grants” means funds made available to institutions already meeting minimum standards to expand or develop programs of library services.

“Institutional library services per capita State aid grants” means funds made available to institutions whose library services meet minimum standards and maintain a level of library expenditures for library services equal or above to the level in the preceding calendar year.

“Library advisory committee” is a group within the institution which will assist in the development of a plan for library services.

“Library facility” means a space devoted solely or primarily to library services and materials and may include circulation desk, reading and study area, group program area, book stacks and other shelving for materials, office space for

library staff, work room or space for cataloging and other related functions, and storage for materials and equipment.

“Library materials” means print, non-print items and electronic software accessible through a library and its services. Library materials do not include texts or curriculum materials; they do include a range of recreational, cultural, and informational items.

“Library service” is a general term for all of the activities performed and programs offered by libraries in meeting the need of their target groups. As such, it can encompass a range of services, such as information services or circulation services, which are determined in a particular library by its roles and goals. The primary model for institutional library services is the public library services model.

“Plan of library service” is a written plan for all of the activities to be performed and programs to be offered by a library in order to meet the needs of its target group(s). Such a plan is based on the mission and roles adopted by a library and generally includes goals, objectives and activities to be implemented.

“Room/cell/ward library service” means those activities performed and programs offered by an institutional library in meeting the information needs of those groups unable to avail themselves of the library facility within an institution due to limitations on mobility.

“Titles” are unique monographs (books) or distinctly titled materials held; this is not the same as volumes or items, which includes all multiple copies of a single title. This definition applies to all materials formats.

Amended by R.1995 d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

**6:68-7.3 Minimum standards for institutional library services**

(a) The following minimum standards shall apply to institutional library services:

1. Staff shall be assigned by the institution in accordance with the chart set forth below:

Average Daily Client Population	Minimum Number of Paid Staff
Less than 100	One staff member part-time.
100 to 299	Associate librarian part-time. One library clerk, part-time.
300 to 499	Associate librarian full-time. One library clerk, part-time.
500 to 699	One librarian part-time. One library clerk, full-time.
700 to 999	One librarian full-time. Two library clerks, one of whom must be full-time.
1,000 or more	One librarian full-time. Three library clerks, two of whom must be full-time.

2. Materials in all formats to meet the informational, educational, cultural and recreational needs of the population shall be provided as follows:

- i. A minimum of five titles per client or 300 titles, whichever is larger. Titles can include print and non-print materials; and
- ii. Equipment to support access to and use of library materials.

3. Access shall be provided to client groups as follows:

- i. A library with only part-time staff shall provide library services at least 20 hours per week; and
- ii. A library with full-time staff shall provide library services at least 30 hours per week.

4. Facilities and furnishings will be adequate to support the library and its services and will be determined in accordance with guidelines established by the State Librarian.

Amended by R.1995 d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

**6:68-7.4 Institutional library services per capita State aid**

(a) Per capita State aid will provide funds to institutions which meet minimum standards for library services and maintain a level of local library expenditures for library services equal to or above the level in the preceding fiscal year. Such institutions will be eligible, annually, for funding of \$1,000 per institution plus a minimum of \$7.50 per capita. Fiscal year is determined by the parent organization.

(b) The sum payable as State aid, as finally determined by the Assistant Commissioner and State Librarian, shall be payable on October 1 to each institution qualifying for aid under this chapter.

Amended by R.1995 d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

**6:68-7.5 Institutional library services developmental grants**

Developmental grants will provide funds to assist institutions in meeting minimum standards for library services.

Amended by R.1995 d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

**6:68-7.6 Institutional library services incentive grants**

Incentive grants will provide funds to institutions to develop or expand programs of library services. Institutional library services must meet minimum standards prior to an application for this grant.

Amended by R.1995 d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

**6:68-7.7 Priorities and funding among grant categories**

The priorities among the three institutional grant categories and the percentage of funds allocated in each program shall be established annually by the State Librarian.

**6:68-7.8 Use of funds**

Funds received pursuant to these rules shall not be applied to any purpose other than institutional library services. Institutional library services budgets shall not be reduced due to receipt of institutional State library aid.

**6:68-7.9 Reports and audits**

(a) On or before March 1 in each year, each institutional library receiving institutional library services per capita State aid grants according to this subchapter shall prepare and transmit a report to the State Librarian of such information, as the State Librarian shall require, based upon the records and statistics of the preceding calendar year.

(b) On or before August 1 in each year, each institutional library receiving institutional library services developmental or institutional library services incentive State aid according to this subchapter shall prepare and transmit a report to the State Librarian of such information, as the State Librarian shall require, based upon the records and statistics of the preceding fiscal year.

(c) Grant recipients shall be required to submit other reports and financial audits as specified by the State Librarian in the grant announcement.

---

**SUBCHAPTER 8. MUNICIPAL BRANCH LIBRARY SERVICES**
**6:68-8.1 Purpose**

The rules in this subchapter provide for the maintenance, operation and improvement of municipal branch libraries to meet community needs, pursuant to the provisions of the State Library Development Aid Law, (P.L. 1985, c.297, N.J.S.A. 18A:74-3.2 through 3.4).

Amended by R.1995 d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

**6:68-8.2 Eligibility**

Any municipal public library which receives State aid pursuant to N.J.S.A. 52:27D-178 et seq. and maintains one or more branch libraries is eligible to participate in the program.

Amended by R.1995 d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

**6:68-8.3 Categories in award of grants**

(a) Each approvable application shall be assigned to one of the two categories as follows:

1. Municipal branch library assistance for planning; or
2. Municipal branch library assistance for operations and improvements.

(b) The priority of categories and the percentage of funds allocated to each category shall be established each year by the State Librarian.

Amended by R.1995 d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

---

**SUBCHAPTER 9. COLLECTION EVALUATION AND DEVELOPMENT**
**6:68-9.1 Purpose**

The rules in this subchapter provide for assistance to any public library for the evaluation and development of collections, pursuant to the Library Development Aid Law, (Chapter 292, Laws of 1985), N.J.S.A. 18A:74-3.2.

**6:68-9.2 Eligible projects**

(a) Grants will be made to public libraries to support individual or coordinated collection evaluations and/or user studies.

(b) Grants will be made to public libraries to develop collection subject specialties, either individually or as part of a group of libraries sharing a coordinated collection development plan.

Amended by R.1995 d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

**6:68-9.3 Funding allocation**

The State Librarian shall determine annually percentages of the total funding to be assigned to each eligible project area.

---

**SUBCHAPTER 10. MAINTENANCE OF LIBRARY COLLECTIONS**
**6:68-10.1 Purpose**

The rules in this subchapter provide for assistance to libraries to be used for housing, protection, preservation, repair, restoration and maintenance of collections of historical or special interest, pursuant to the provisions of the Library Development Aid Law (Chapter 297, Laws of 1985), N.J.S.A. 18A:74-3.2(c).

**6:68-10.2 Definitions**

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

“Accessibility” means availability of materials for borrowing, consultation, in-house use or reproduction, depending on the nature and condition of the materials and the collections.

“Comprehensive preservation program” means the organization and operation of all activities associated with maintaining library materials for use.

“Comprehensive preservation program development” means the initial steps taken by a library in planning for the establishment of a comprehensive program for preservation of its materials, including consultant visits, reports, and self-studies.

“Condition survey” means a systematic study of a library collection to ascertain its physical state.

“Conservation treatment” means the direct use of chemical and physical procedures to ensure the preservation of library materials.

“Cooperative preservation planning and programs” means planning or programs carried out by a group of libraries concerned with the care, protection and salvage of their collections.

“Disaster recovery” means supplies, equipment and services needed to restore a disaster-damaged collection to usefulness.

“Emergency planning” means the development of written instructions on how to deal effectively with emergency situations which can jeopardize the existence of a collection.

“Housing” means the provision of equipment, products, supplies and appropriate environmental conditions or their creation and maintenance for the long term storage and maintenance of a collection.

“Identification/inventory” means a descriptive list of items in a collection, giving as a minimum the title, dates, quantity, arrangement, description of significant subject content and estimate of uniqueness, in a format meeting appropriate bibliographic standards.

“Materials” means physical entities of any substance that serve as carriers of information.

“Materials conversion” means the process of converting library materials from one format to another for the purpose of preservation.

“Organization” means the systematic arrangement of the collection to facilitate access.

“Preservation” means the activities and organization associated with maintaining library and archival materials for use, either in their original physical form or in some other permanent and durable format.

“Protection” means any of the various activities, containers and materials which shield library materials from the harmful effects of storage, environmental conditions and use.

“Repair” means the partial rehabilitation of a worn item using high quality, long lasting materials and supplies and accepted, conservationally sound methods.

“Restoration” means any of various processes whereby a deteriorated book or paper document or other library material is returned as nearly as possible to its original condition.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Deleted definitions for “collection maintenance”, “collection of historical or special interest”, “library”, “maintenance”, “privately and publicly supported libraries.”

Administrative Correction: Added “used” to introduction.

See: 22 N.J.R. 2359(a).

Amended by R.1995 d.290, effective June 5, 1995.

See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

**6:68-10.3 Eligible projects**

(a) Grants will be made to libraries to increase accessibility to historical or special interest collections through projects including identification/inventory, organization and preservation, condition survey, comprehensive preservation program development, emergency planning, disaster recovery, protection, housing, materials conversion, repair, conservation treatment and restoration.

(b) Grants will be available for cooperative preservation planning and programs.

(c) The State Librarian may establish annual priorities for the awarding of funds.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).

Added new (c).

Amended by R.1995 d.290, effective June 5, 1995.

See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).

**6:68-10.4 Funding allocation**

(a) No less than 75 percent of program funding will be used for grant awards to publicly supported libraries.

(b) No more than 25 percent of program funding will be used for grant awards to privately supported libraries.

(c) When there are insufficient eligible applications from publicly supported libraries to account for 75 percent of program funding, remaining funds may be used for privately supported libraries.

Amended by R.1990 d.179, effective March 19, 1990.

See: 21 N.J.R. 3822(a), 22 N.J.R. 921(c).  
Deleted (c).

Amended by R.1995 d.290, effective June 5, 1995.  
See: 27 N.J.R. 620(a), 27 N.J.R. 2202(a).